

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BROOKE K. WHITMAN, Individually and as
Mother and Next Friend of SAMANTHA KATE
WHITMAN, a minor, and JOEL WHITMAN,
Individually,

Plaintiffs,

v.

AUTOMATIC DATA PROCESSING, INC. AND
CHANNEL ONE COMMUNICATIONS
CORPORATION, d/b/a CHANNEL ONE
NETWORK,

Defendants.

Civil Action No. 03-CV-12543RGS

DEFENDANT CHANNEL ONE'S UNOPPOSED MOTION FOR RECONSIDERATION

Defendant Channel One Communications Corporation ("Channel One") moves that the Court reconsider part of its February 26, 2004 ruling in which it denied Channel One's motion to dismiss the complaint. Channel One believes it will need only ten minutes of the already scheduled status conference on March 22, 2004 at 2:45 p.m. to present its argument on the motion to reconsider. Channel One would like to discuss the fact that the Whitmans do not allege that Channel One breached any legally cognizable duty of care. Because of an oversight, Channel One did not indicate on its original motion papers that it was requesting an oral argument even though it thought one would be helpful to the Court. Given that the parties will

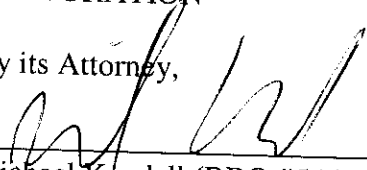
already be in court on that day for a separate matter, Channel One does not believe it will be too burdensome on any one to devote a small amount of time to revisiting one discreet issue.

Plaintiff's counsel has graciously indicated he will not oppose this motion to the extent it seeks the opportunity to discuss this issue with the Court.

Respectfully submitted,

CHANNEL ONE COMMUNICATIONS
CORPORATION

By its Attorney,

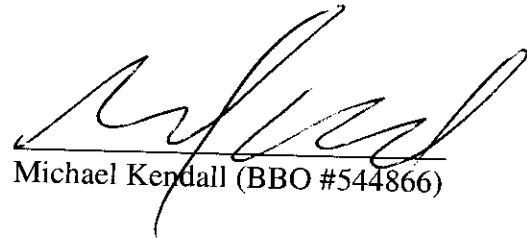


Michael Kendall (BBO #544866)
McDermott, Will & Emery
28 State Street
Boston, MA 02109
(617) 535-4000

Dated: March 5, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Defendant Channel One's Unopposed Motion for Reconsideration has been served upon all counsel of record by first-class mail on this 5th day of March, 2004:



Michael Kendall (BBO #544866)

*A Partnership Including
Professional Corporations*
28 State Street
Boston, MA 02109-1775
617-535-4000
Facsimile 617-535-3800
www.mwe.com

Boston
Chicago
Düsseldorf
London
Los Angeles
Miami
Munich
New York
Orange County
San Diego
Silicon Valley
Washington, D.C.

Michael Kendall
Attorney at Law
mkendall@mwe.com
617-535-4085

MCDERMOTT, WILL & EMERY

March 05, 2004

Mr. Tony Anastas, Clerk
United States District Court
for the District of Massachusetts
One Courthouse Way, Suite 2300
Boston, MA 02210

Re: Brooke K. Whitman, et al. v. Automatic Data Processing, Inc., et al.
Civil Action No. 03-CV-12543RGS

Dear Mr. Anastas:

Enclosed for filing please find Defendant Channel One's Unopposed Motion for Reconsideration.

Kindly date stamp and return the copy of said Motion in the stamped self-addressed envelope enclosed with this letter.

Thank you for your time.

Very truly yours,

Michael Kendall

Enclosure

cc: Norman J. Fine, Esq.
Robert C. Anderson, Esq.
Robert D. Hillman, Esq.